

Notice of Allowability

Application No.

09/912,723

Applicant(s)

LAUER, MARK A.

Examiner

William J. Klimowicz

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the proposed amendment filed on March 6, 2007, NOT entered.
2. The allowed claim(s) is/are 3, 6, 13, 20, 27, 28, 22 and 25, renumbered as claims 1-8, respectively.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The Amendment filed on March 6, 2007 has not been entered since it is not in proper form, i.e., there is no underlining in added limitations to claims which have been amended. See MPEP 714. The Examiner, however, has provided an Examiner's amendment below that effectively incorporates the proposed Applicant's amendment into the claims.

The application has been amended as follows:

(i) The Amendment filed on March 6, 2007 has *not* been entered.

(ii) The Amendment filed on February 28, 2006 has been previously entered in full, and all subsequent amendments herein are to be made with respect to the Applicant's entered amendment filed on February 28, 2006.

(iii) Claims 1, 2, 4, 7-12, 14, 17-19, 21 and 24 have been cancelled in their entirety.

(iv) Claim 3 has been canceled in its entirety and replaced in full as follows:

--A device for reading or writing information, the device comprising: an electromagnetic transducer including a plurality of solid transducer layers, a substrate adjoining said transducer, said substrate shaped as a rigid body adjacent to said transducer and as a plurality of flexible elements distal to said transducer, and an actuator attached to said substrate distal to said

transducer, wherein said actuator includes a layer of piezoelectric material, and said transducer layers are substantially parallel with said layer of piezoelectric material. --

(v) Claim 6 has been canceled in its entirety and replaced in full as follows:

--A device for reading or writing information, the device comprising: an electromagnetic transducer including a plurality of solid transducer layers, a substrate adjoining said transducer, said substrate shaped as a rigid body adjacent to said transducer and as a plurality of flexible elements distal to said transducer, and an actuator attached to said substrate distal to said transducer, wherein said flexible elements are substantially aligned with a center of mass of said rigid body. --

(vi) Claim 13 has been canceled in its entirety and replaced in full as follows:

-- A device for reading or writing information, the device comprising: a wafer substrate piece disposed between an electromagnetic transducer and an electrostrictive actuator, said substrate piece shaped as a rigid body adjoining said transducer and as a flexible element connecting said rigid body and said actuator, wherein said actuator includes a layer of piezoelectric material, and said transducer includes a plurality of layers that are substantially parallel with said layer of piezoelectric material.--

(vii) Claim 22 has been canceled in its entirety and replaced in full as follows:

-- A device for reading or writing information, the device comprising: an electromagnetic transducer including a plurality of solid transducer layers, a substrate adjoining said transducer, said substrate shaped as a rigid body adjacent to said transducer and as a plurality of flexible elements distal to said transducer, and an actuator attached to said substrate distal to said transducer, wherein said transducer layers include a plurality of active layers that convert a

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magnetic signal to an electrical signal, said active layers separated from said substrate by a plurality of inactive layers that do not convert between magnetic and electrical signals. --

(viii) Claim 25 has been canceled in its entirety and replaced in full as follows:

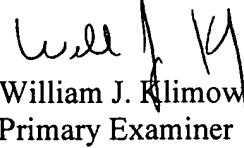
--A device for reading or writing information, the device comprising: a wafer substrate piece disposed between an electromagnetic transducer and an electrostrictive actuator, said substrate piece shaped as a rigid body adjoining said transducer and as a flexible element connecting said rigid body and said actuator, wherein said transducer includes a plurality of active layers that convert a magnetic signal to an electrical signal, said active layers separated from said substrate by a plurality of inactive layers that do not convert between magnetic and electrical signals.--

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Klimowicz whose telephone number is (571) 272-7577. The examiner can normally be reached on Monday-Thursday (6:30AM-5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Thi Nguyen can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


William J. Klimowicz
Primary Examiner
Art Unit 2627

WJK



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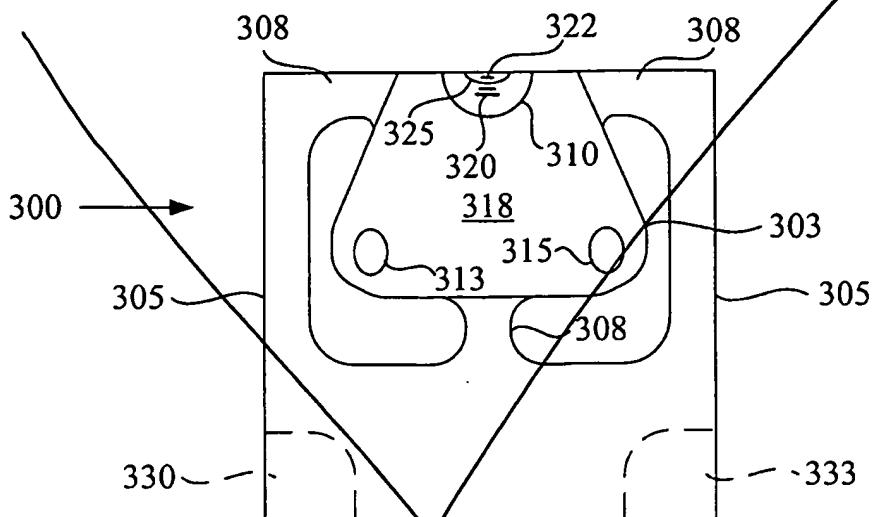


FIG. 17

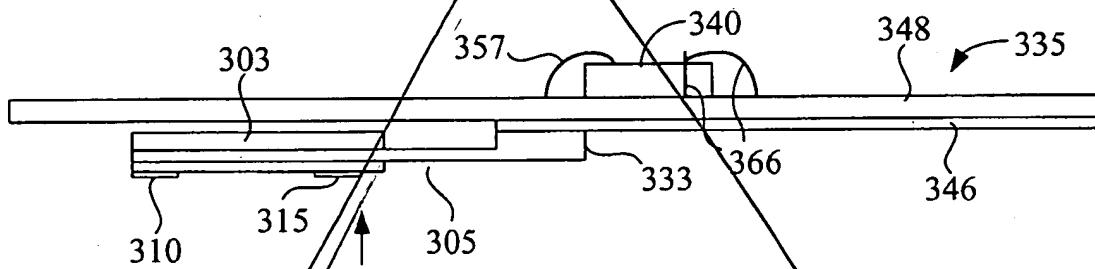


FIG. 18

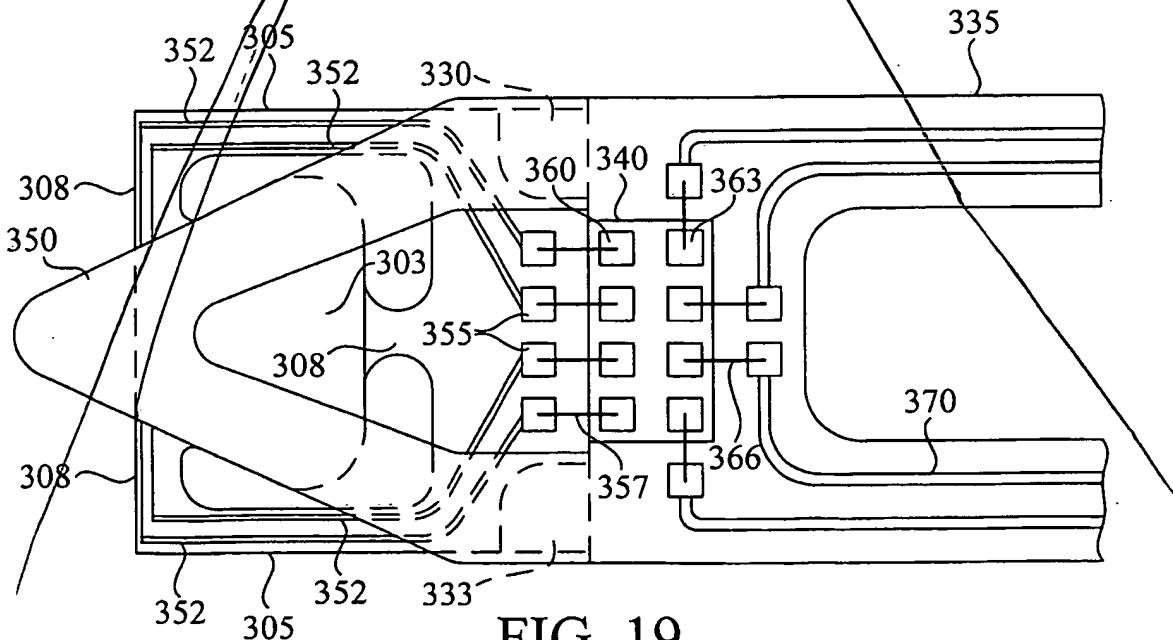
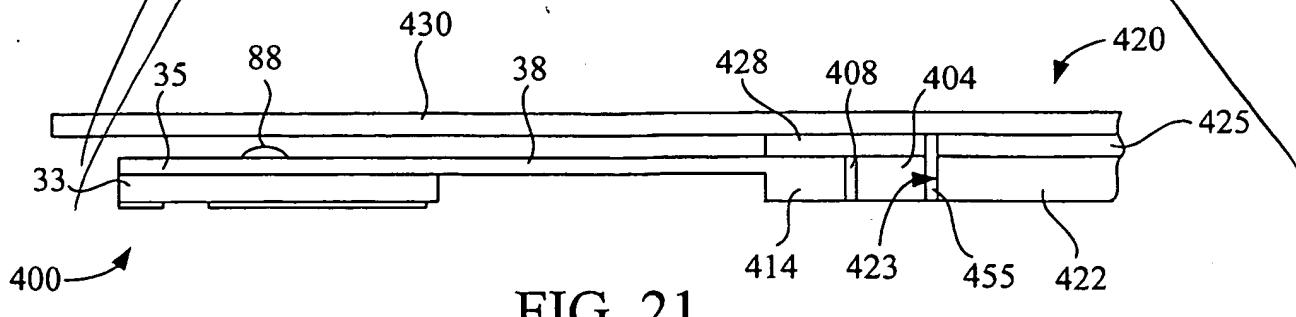
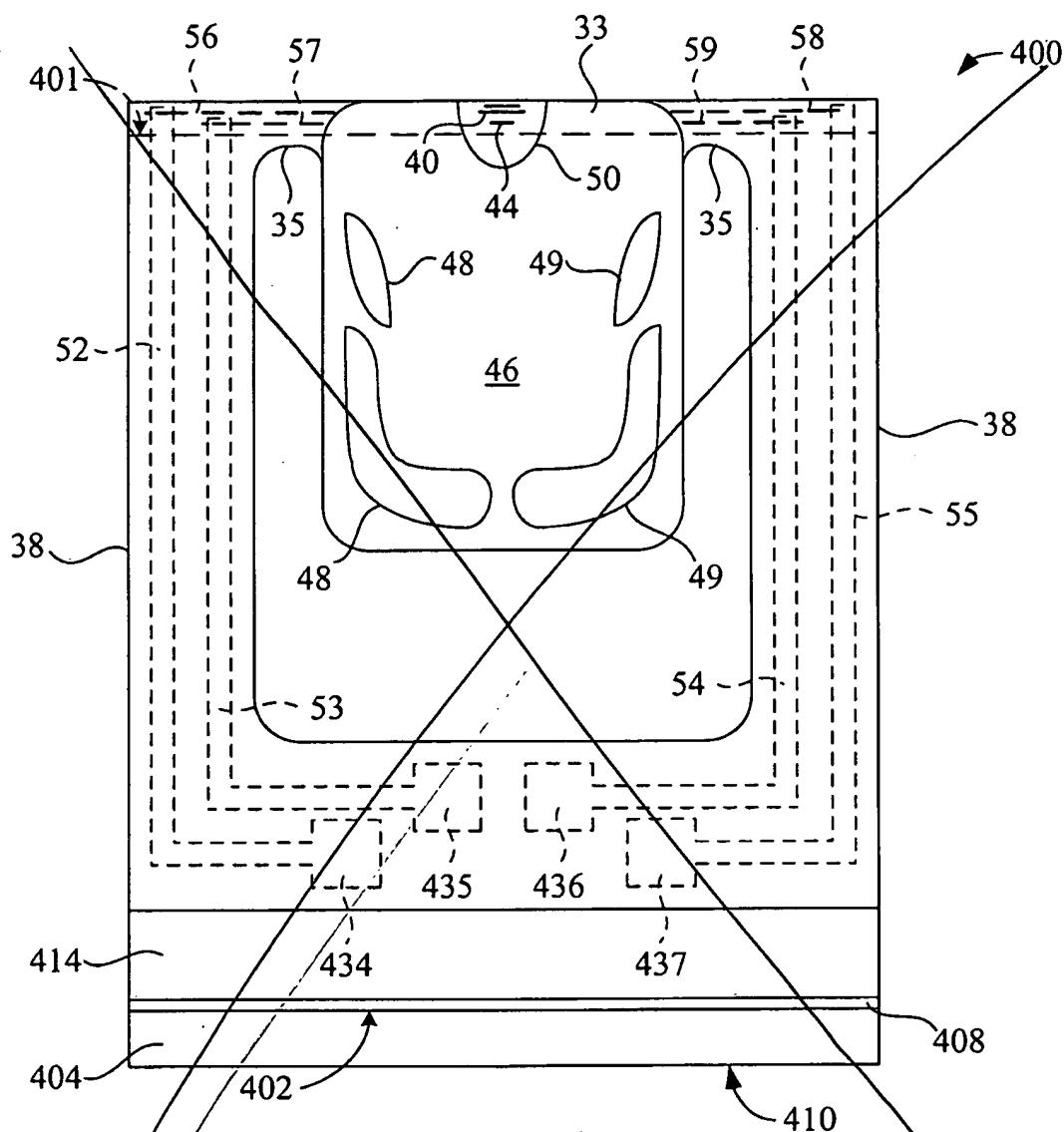


FIG. 19

Sept 9, 2005
Not approved

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A circular stamp from the U.S. Patent and Trademark Office. The outer ring contains the text "U.S. PATENT AND TRADEMARK OFFICE" at the top and "REG. U.S. PAT. & T. OFFICE" at the bottom. The center of the stamp contains the text "O P E R A T I O N S C E N T E R" at the top and "W A S H I N G T O N D. C." at the bottom. The date "OCT 03 2005" is stamped in the middle of the circle.

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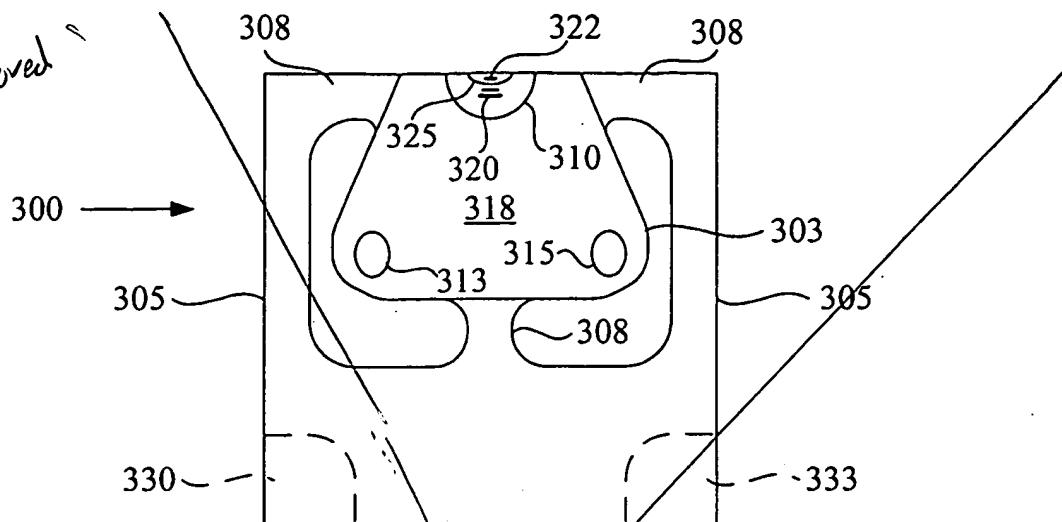


FIG. 17

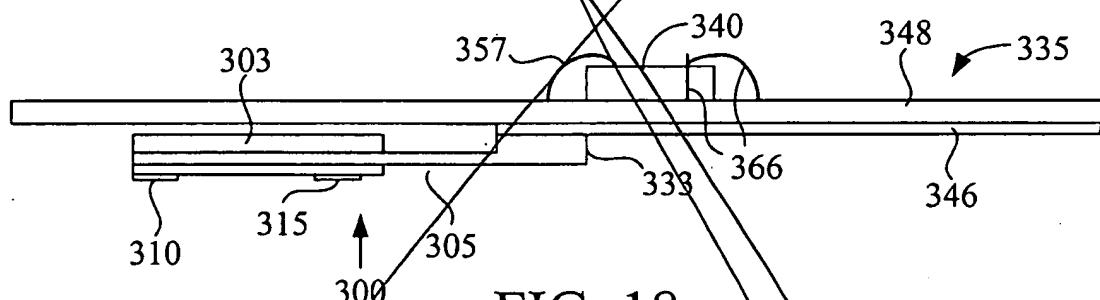


FIG. 18

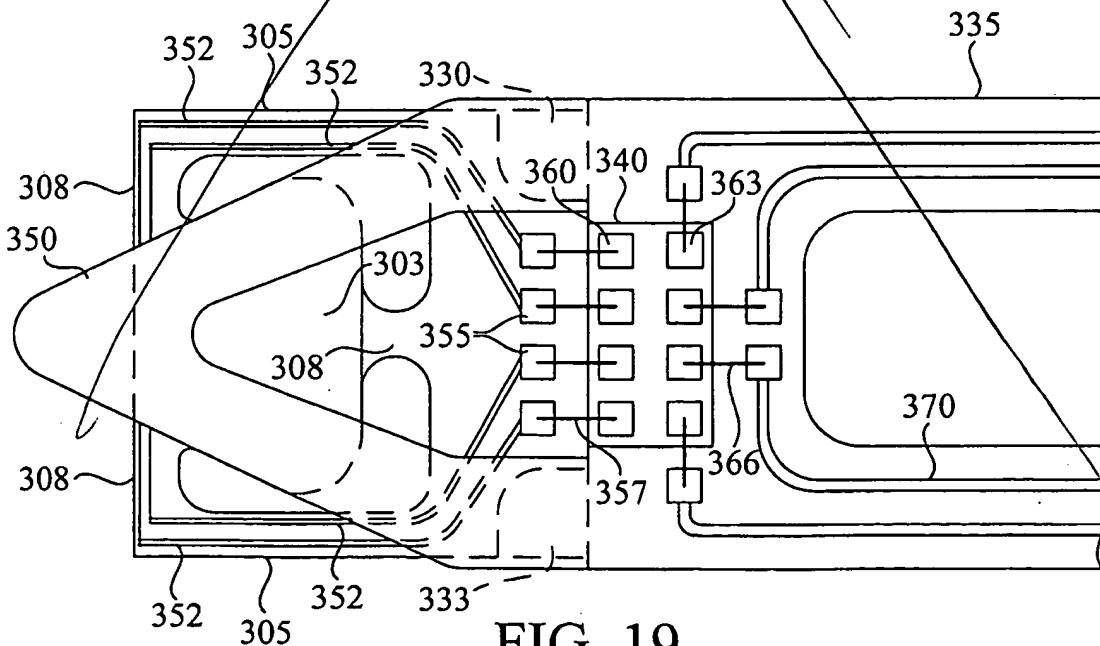
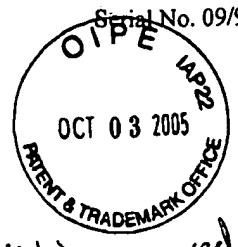


FIG. 19



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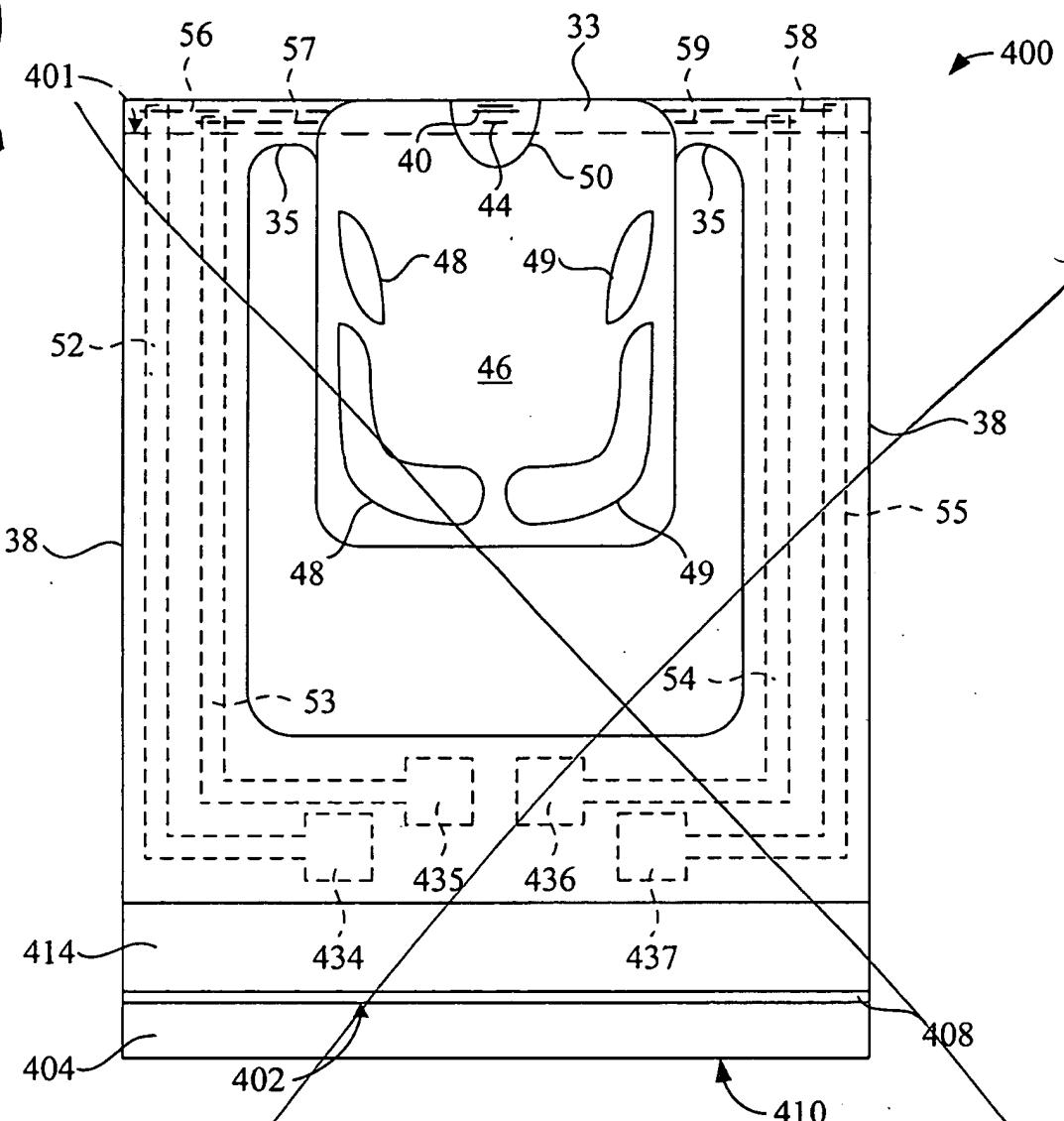


FIG. 20

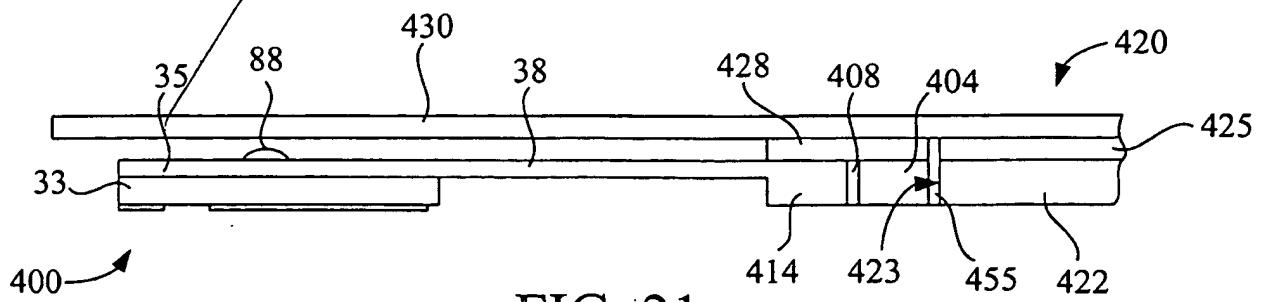


FIG. 21